

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ARTHUR GRICE,)	
Plaintiff,)	
)	No. 1:23-cv-938
v.)	
)	Honorable Paul L. Maloney
UNKNOWN HAIRSTON, <i>et al.</i> ,)	
Defendants.)	
)	

ORDER ADOPTING REPORT AND RECOMMENDATION

This matter comes before the court on Plaintiff Arthur Grice's objection to Judge Kent's February 24, 2025 report and recommendation. (ECF No. 42). Judge Kent recommends granting summary judgment to the remaining Defendants and dismissing this case. (ECF No. 41). The court will adopt the report and recommendation over Plaintiff's objections.

I.

The report and recommendation summarized the facts and procedural posture of this case. (ECF No. 41 at PageID.335-40). It also explained the problems with Plaintiff's self-serving declaration, including that the record indicates that Plaintiff did not have personal knowledge of the incident date. (*Id.* at PageID.344). Plaintiff was therefore unable to create a genuine issue of material fact or properly rebut Defendants' affidavits and evidence. Judge Kent recommends that Defendants Magro, Khaul, Rankin, Hairston, Bowman, Starkey, Warman, Williams, and O'Brien's motion for summary judgment be granted and that this case be terminated.

II.

After being served with a report and recommendation issued by a magistrate judge, a party has fourteen days to file written objections to the proposed findings and recommendations. 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b)(2). A district court judge reviews de novo the portions of the R&R to which objections have been filed. 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b)(3). Only those objections that are specific are entitled to a de novo review under the statute. *Mira v. Marshall*, 806 F.2d 636, 637 (6th Cir. 1986) (per curiam). An “objection does not oblige the district court to ignore the report and recommendation.” *Pharmacy Recs. v. Nassar*, 465 F. App’x 448, 456 (6th Cir. 2012). Our Local Rules require any party objecting to a report and recommendation to “specifically identify the portions of the proposed findings, recommendations or report to which objections are made and the basis for such objections.” W.D. Mich. LCivR 72.3(b); *see also Miller v. Currie*, 50 F.3d 373, 380 (6th Cir. 1995) (holding that “objections disput[ing] the correctness of the magistrate’s recommendation but fail[ing] to specify the findings . . . believed [to be] in error” are too general).

III.

The court has conducted a review of this matter and finds the report and recommendation properly recommends dismissal. Plaintiff’s objections are not specific and are summarily rejected. *Miller*, 50 F.3d at 380; *Pharmacy Recs.*, 465 F. App’x at 456. Additionally, Plaintiff’s objections are untimely. *See* 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b)(2).

IT IS HEREBY ORDERED that the report and recommendation (ECF No. 41) is **ADOPTED** by the court.

IT IS FURTHER ORDERED that Defendants Magro, Khaul, Rankin, Hairston, Bowman, Starkey, Warman, Williams, and O'Brien's motion for summary judgment (ECF No. 19) is **GRANTED** and this case is terminated.

IT IS FURTHER ORDERED that Plaintiff's objection to the report and recommendation (ECF No. 42) is **DENIED**.

Judgment to follow.

IT IS SO ORDERED.

Date: March 27, 2025

/s/ Paul L. Maloney

Paul L. Maloney
United States District Judge